



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,254	07/07/2003	Ahmad Pourhamid	001-170	1253

29569 7590 02/15/2007
JEFFREY FURR
253 N. MAIN STREET
JOHNSTOWN, OH 43031

EXAMINER

SIEDLER, DOROTHY S

ART UNIT	PAPER NUMBER
----------	--------------

2626

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/15/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/604,254

Applicant(s)

POURHAMID, AHMAD

Examiner

Dorothy Sarah Siedler

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

This is the initial response to the office action filled July 7, 2003. Claims 1-22 are pending and are considered below.

Oath/Declaration

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It does not identify the citizenship of each inventor, and it does not identify the mailing address of each inventor. A mailing address is an address at which an inventor customarily receives his or her mail and may be either a home or business address. The mailing address should include the ZIP Code designation. The mailing address may be provided in an application data sheet or a supplemental oath or declaration. See 37 CFR 1.63(c) and 37 CFR 1.76.

Specification

The abstract of the disclosure is objected to because in the title the phrase "[Insert title of invention]" appears before the title. The examiner considers this a typographical error.

Correction is required. See MPEP § 608.01(b).

The disclosure is objected to because of the following informalities: The title of the description also includes the phrase "[Insert title of invention]", which should be

removed. In addition, there are numerous spelling mistakes. For example page 1, section 2, the 5th sentence should read "A" not "I". In the same sentence "language" should read "languages". On Page 2, "are" should be "of". These are only a few examples therefore the applicant is encouraged to review the remaining specification and correct additional errors.

Appropriate correction is required.

The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: On page 10 of the specification, there is reference to Web site 100 sample and main web page 200, however neither are indicated in Figure 2. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 1-22 are objected to because of the following informalities: Claims 1-22 each have a label “[c1], [c2], etc” in front of each claim. The examiner considers this improper numbering of claims.

Appropriate correction is required.

Claim 2 recites “The process according to claim 1”, however, the preamble to claim 1 recites “A system”. This is an improper transition from one statutory category to another, which the examiner also considers a typographical error. Applicant is encouraged to amend claim 1 as a process claim, or amend claims 2-22 as system claims. The examiner interprets claim 1 as a process, this interpretation used through the remainder of this office action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,2,4,6,7,10-13,14,15,17 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by **Flanagan** (6,292,769).

As per claim 1, **Flanagan** discloses a system for translation on the Internet comprising: a plurality of translation methods (column 6 lines 14-19, *typed text or spoken communications are translated*); and for a plurality of languages (column 6 lines 37-41).

As per claim 2, **Flanagan** discloses the process according to claim 1 which includes the steps of having a user access the system through an Internet connection method (column 2 lines 23-27, *Users communicate with an online system, therefore it is inherent that the user uses an internet connection*).

As per claim 4, **Flanagan** discloses the process according to claim 1 in which includes the steps of having real-time transaction (column 7 lines 1-5, *real-time conference*).

As per claim 6, **Flanagan** discloses the process according to claim 1 in which includes the steps of having an item translated (column 3 lines 60-63).

Art Unit: 2626

As per claim 7, **Flanagan** discloses the process according to claim 6 in which said item is a document (column 2 lines 38-42, *textual data is translated*).

As per claim 10, **Flanagan** discloses the process according to claim 6 in which said item is an audio message (column 3 lines 60-63, *the audio input from a microphone is translated*).

As per claim 11, **Flanagan** discloses the process according to claim 6 in which said item is an E-mail (column 6 lines 50-53).

As per claim 12, **Flanagan** discloses the process according to claim 6 in which said item is an E-mail and said E-mail is forwarded to the recipient (column 6 lines 14-35 and lines 50-53, *e-mail communications are processed using the same services, i.e. a communication is sent from a user to the processing system, then delivered to a participant*)).

As per claim 13, **Flanagan** discloses the process according to claim 6 in which said item is a chat room (column 2 lines 42-45, *machine translation for speech-to-speech online chat*).

As per claim 14, **Flanagan** discloses the process according to claim 1 which includes the step of having the system communicates to the user using a communication method (column 4 lines 6-15, *the audio of the translated message is output through the microphone while the translated text is displayed in the screen*).

As per claim 15, **Flanagan** discloses the process according to claim 14 where said communication method is E-mail (column 6 lines 50-53, *An e-mail message is translated and delivered to a user, or communicated to the user*).

As per claim 17, **Flanagan** discloses the process according to claim 14 where said communication method is a chat room (column 4 lines 6-15, *the audio of the translated message is output through the microphone while the translated text is displayed in the screen*).

As per claim 18, **Flanagan** discloses the process according to claim 14 where said communication method is a messenger system (column 4 lines 62-67).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3,5,8,9,16 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over ***Flanagan*** in view of ***Amith*** (6,363,337).

As per claim 3, ***Flanagan*** discloses the process according to claim 1, as well as computer translation software (column 6 lines 48-50). However, ***Flanagan*** does not disclose a translation method that includes human translators. ***Amith*** discloses that often times results from machine translation software need to be checked for recognition errors (column 1 lines 57-64). ***Amith*** discloses a system for translating data into different human languages, and into different data formats.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to use human translators in ***Flanagan***, since the human translators would correct recognition errors which are common to machine translation software due to the complexity and irregularities of human languages, as indicated in ***Amith*** (column 1 lines 67-64).

As per claim 5, ***Flanagan*** discloses the process according to claim 1, but does not disclose the steps of having a plurality of advertisements on the system web site. ***Amith***

discloses a system that translates data into different types of communication formats, including web pages (column 3 lines 38-41). In addition, **Amith** discloses that it is important to advertise consumer goods in multiple languages, especially for electronic mediated commerce (column 1 lines 10-15).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have a plurality of advertisements on the system website in **Flanagan**, in order to provide services to consumers of many nationalities, as indicated in **Amith** (column 1 lines 10-18).

As per claim 8, **Flanagan** discloses the process according to claim 6, but does not disclose translating an advertisement. **Amith** discloses a system that translates data into different types of communication formats, including web pages (column 3 lines 38-41). In addition, **Amith** discloses that it is important to advertise consumer goods in multiple languages, especially for electronic mediated commerce (column 1 lines 10-15).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have a plurality of advertisements on the system website in **Flanagan**, in order to provide services to consumers of many nationalities, as indicated in **Amith** (column 1 lines 10-18).

As per claim 9, **Flanagan** discloses the process according to claim 6, but does not disclose translating a video. **Amith** discloses a system that translates data into different

types of communication formats, including, for example, web pages, e-mail and voice data (column 3 lines 38-41). In addition, **Amith** discloses that video stream data is displayed through a web page (column 4 lines 55-56).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to translate a video in **Flanagan**, since it is an additional means to provide advertisements to consumers from many different nationalities.

As per claim 9, **Flanagan** discloses the process according to claim 14, but does not disclose that the communication method is the telephone. **Amith** discloses a system that translates data into different types of communication formats, including, for example, web pages, e-mail and voice data (column 3 lines 38-41).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have the system communicate with the user through a telephone in **Flanagan**, since it would enable the system to translate voice messages, and provide them to the user through the phone, as well as enable the user to submit voice data through an automated service, and have the data sent through facsimile or e-mail, as indicated in **Amith** (column 2 lines 12-19).

As per claim 21, **Flanagan** discloses the process according to claim 1, but does not explicitly state including the step of notifying the human translators when an item is available for translation. **Amith** discloses that often times results from machine translation software need to be checked for recognition errors (column 1 lines 57-64).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to include the step of notifying a human translator when an item is available for translation in **Flanagan**, in order to enable timely translation or quick review of a software translation.

Claims 19, 29 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Flanagan** in view of **Aityan** (2002/0169592).

As per claims 19 and 20, **Flanagan** discloses the process according to claim 1, but does not disclose the step of having a ratings system for said translators, where said translation method includes professional and amateur translators. **Aityan** discloses a system that automatically or manually selects online translation services based on the evaluation of that service for a particular theme or language ([0023] and [0024]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have a rating system for translators, which were professional or amateur translators in **Flanagan**, since it would enable the system to choose the highest quality translation for a particular communication, as indicated in **Aityan** (Abstract).

As per claim 22, **Flanagan** discloses the process according to claim 1, but does not explicitly state the step of having the system point to another website. **Aityan** discloses

a system that chooses translation engines from a list of online translation engines ([0023]. **Aityan** also discloses that different engines can be used for translation into different languages ([0023]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have the system point to another website in **Flanagan**, since it would enable the system to choose a particular translation engine, which would provide the highest quality translation for a particular communication, as indicated in **Aityan** (Abstract).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

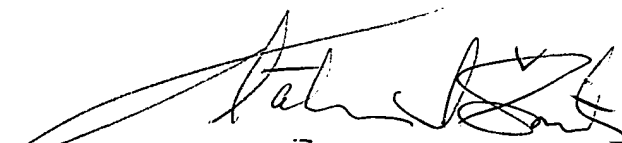
- Ito (5,140,522) discloses a system that performs machine translation on previously translated documents.
- Miyahira (2001/0054086) discloses a system to perform various machine translation function on a web browser.
- Flanagan (6,339,754) discloses a system for translation of messages in an online chat.
- Redpath (6,347,316) discloses a system to provide the most accurate translation to a user in a client-server environment.
- McGee (2003/0144912) discloses a system that enable users of different languages to communicate and negotiate business transactions.
- Scanian (6,857,022) discloses a system to order machine translations online.
- Flanagan (6,993,471) discloses a multilingual browser.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dorothy Sarah Siedler whose telephone number is 571-270-1067. The examiner can normally be reached on Mon-Thur 9:30am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DSS



TĀĻVALDIS IVĀRS ŠMITS
PRIMARY EXAMINER